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AMENDMENTS TO THE CLAIMS

1. (currently amended) A method executed in a computer system for monitoring a utilization condition of contents, wherein said computer system is provided on a network to which a user terminal is allowed to connect, said user terminal carrying out information processing by utilizing said contents, comprising the steps of:

equipping information gathering means on the network;

registering authentication information on a database;

embedding digital information in said contents, said digital information itself causing said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing said contents to said user terminal, wherein said user terminal includes a memory medium in which authentication information identical to said registered authentication information is included, and wherein said terminal is authenticated by said authentication information in the memory medium;

gathering, according to the digital information included in the distributed contents, said contents utilizing history via said information gathering means which is automatically transmitted from the user terminal;

recording the gathered contents utilizing history, in correspondence with said registered authentication information, in the database; and

creating utilizing information indicating how much the particular content is utilized, based on recorded data in the database.

2. (canceled)

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3. (previously presented) A method for monitoring a utilization condition of contents according to claim 1, further comprising the step of authenticating whether said user terminal and said contents utilized in said user terminal are proper or not, based on registered history data of transaction indicating that said contents are properly transacted, and also based on registered user terminal identification data for authentication.

4. (previously presented) A method for monitoring a utilization condition of contents according to claim 3, wherein said authenticating step is executed on said user terminal to which said recording medium is loaded, by recording said user terminal identification data to said data recording area of the recording medium and distributing said history data of transaction along with said contents.

5. (previously presented) A method for monitoring a utilization condition of contents according to claim 1, wherein said user terminal transmits said contents utilizing history to said information gathering means, on condition that the number of times of utilizing the same content by the same user exceeds a predetermined number.

6. (previously presented) A system for monitoring a utilization condition of contents, wherein said system is provided on a network to which a user terminal and a computer are allowed to connect and includes information gathering means having a mechanism for gathering information from the network, said user terminal carrying out information processing by utilizing said contents, said computer distributing the contents to said user terminal and comprising:

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register means for registering authentication information on a database;

issuing means for issuing authentication information identical to said registered authentication information to a memory medium which is allowed to connect to the user terminal;

embedding means for embedding digital information in said contents, said digital information causing said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing means for distributing said contents to said user terminal wherein said user terminal includes a memory medium in which authentication data identical to said registered authentication information is included, and wherein said user terminal is authenticated by said authentication information in the memory medium;

recording means for recording the contents utilizing history in correspondence with the registered authentication information, said recording means gathering the contents utilizing the contents utilizing history via the information gathering means on the network, said contents utilizing history being automatically transmitted from the user terminal according to the digital information included in the distributed contents; and

creating means for creating utilizing information indicating how much the particular content is utilized, based on recorded data in the database.

7. (previously presented) The system for monitoring a utilization condition of contents according to claim 6, wherein the user terminal comprises:

means for issuing a recording medium to a user operating a user terminal which carries

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out information processing by utilizing said contents, said recording medium having a data recording area for recording user identification data and a nonvolatile memory area;

information gathering means for gathering information from a network with which said user terminal is allowed to connect;

contents distributing means for distributing digital information embedded in said contents to said user terminal to which said issued recording medium is loaded, said digital information causing said user terminal to store a contents utilizing history indicating said utilizing condition of the contents to said memory area, and to read said stored contents utilizing history so as to transmit said contents utilizing history to said information gathering means along with said user identification data at a predetermined timing while said user terminal is connected with said network; and

utilizing information creating means for creating utilizing information indicating how much the particular content is utilized by which user, based on said contents utilizing history and said user identification data collected through said information gathering means.

8. (previously presented) The system for monitoring a utilization condition of contents according to claim 7, wherein

said contents distributing means is so constructed as to distribute said contents after encrypting or compressing said contents, and

key data for decrypting said encrypted or compressed data is recorded in a data area of said recording medium.

9. (previously presented) The system for monitoring a utilization condition of contents

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according to claim 7, wherein

said contents distributing means distributes history data of transaction indicating that said content are properly transacted along with said contents, and

said user terminal is so constructed so as to be allowed to utilize only said properly transacted contents based on said history data of transaction.

10. (previously presented) The system for monitoring a utilization condition of contents according to claim 7, wherein

pre-registered user terminal identification data is recorded in said data recording area of the recording medium, and

said user terminal is so constructed that only the proper user terminal is allowed to utilize said contents by the proper user based on said user terminal identification data.

11. (currently amended) A computer system connectable to a network with which a user terminal for executing information processing by utilizing contents is allowed to connect, said computer system including a computer program for operating said computer system as a utilizing condition monitoring system for monitoring utilizing condition of the contents by said user terminal, said computer system including an information gathering means for gathering information from said network, said computer program causing said utilizing condition monitoring system to comprise:

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register means for registering authentication information on a database;

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issuing means for issuing authentication information identical to said registered authentication information to a memory medium which is allowed to connect to the user terminal;

embedding means for embedding digital information in said contents, said digital information causing said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing means for distributing said contents to said user terminal wherein said user terminal includes a memory medium in which authentication data identical to said registered authentication information is included, and wherein said user terminal is authenticated by said authentication information in the memory medium;

recording means for recording the contents utilizing history in correspondence with the registered authentication information, said recording means gathering the contents utilizing the contents utilizing history via the information gathering means on the network, said contents utilizing history being automatically transmitted from the user terminal according to the digital information included in the distributed contents; and

creating means for creating utilizing information indicating how much the particular content is utilized, based on recorded data in the database.

12. (original) A computer-readable recording medium recording the computer program according to claim 11.

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13. (previously presented) A computer system connectable to a network with which a user terminal is allowed to connect, said computer system including a computer program for operating said computer system as a utilizing condition monitoring system for monitoring utilizing condition of contents by said user terminal, said user terminal loaded with a recording medium having a data recording area for recording user identification data for identifying a user operating said user terminal and a nonvolatile memory area so as to execute information processing by utilizing the contents, said computer system including an information gathering means for gathering information from said network, said computer program causing said utilizing condition monitoring system to comprise:

register means for registering authentication information on a database;

issuing means for issuing authentication information identical to said registered authentication information to a memory medium which is allowed to connect to the user terminal;

embedding means for embedding digital information in said contents, said digital information causing said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing means for distributing said contents to said user terminal wherein said user terminal includes a memory medium in which authentication data identical to said registered authentication information is included, and wherein said user terminal is authenticated by said authentication information in the memory medium;

recording means for recording the contents utilizing history in correspondence with the registered authentication information, said recording means gathering the contents utilizing the

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contents utilizing history via the information gathering means on the network, said contents utilizing history being automatically transmitted from the user terminal according to the digital information included in the distributed contents; and

creating means for creating utilizing information indicating how much the particular content is utilized by which user, based on recorded data in the database.

14. (original) A computer-readable recording medium recording the computer program according to claim 13.

15. (previously presented) A recording medium readable by a user terminal which executes information processing by utilizing contents and is accessible to information gathering means equipped on a network, said recording medium comprising:

a contents recording area in which said contents are recorded and a digital information recording area in which digital information associated with said contents is recorded,

wherein said digital information is extracted from said contents by said user terminal for recording in the digital information recording area and causes said user terminal to store a contents utilizing history indicating a utilizing condition of the contents in a given recording area of the recording medium, and to read said stored contents utilizing history so as to transmit according to said digital information said contents utilizing history to said information gathering means at a predetermined timing while said user terminal is connected with said network.

16. (original) A recording medium according to claim 15, wherein a transaction history data recording area for recording transaction history data indicating that said contents are

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properly transacted, is provided at a position accessible by said user terminal prior to at least said contents recording area.

17. (previously presented) A recording medium detachably loaded in a user terminal which executes information processing by utilizing contents and is accessible to information gathering means equipped on a network, said recording medium comprising:

authentication means;

a data recording area for recording pre-registered user identification data, user terminal identification data for identifying the user terminal allowed to be used properly, and key data indispensable for utilizing said contents;

a rewritable nonvolatile memory; and

memory control means for causing the user terminal authenticated by said authentication means to store according to said key data extracted from said contents by the user terminal, a contents utilizing history indicating utilizing condition of the contents to said memory area, and to read said stored contents utilizing history so as to transmit said contents utilizing history to said information gathering means along with said user identification data at a predetermined timing while said user terminal is connected with said network.

18. (previously presented) The method for monitoring a utilization condition of contents according to claim 1, wherein said digital information comprises data and a function for recalling a function of the user terminal or a function of a device connected to the user terminal.

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19. (previously presented) The method for monitoring a utilization condition of contents according to claim 1, wherein said user terminal transmits said contents utilizing history to said information gathering means, on condition that a number of times of utilizing a same content by a same user exceeds a predetermined number.

20. (previously presented) The system for monitoring a utilization condition of contents according to claim 6, wherein said user terminal further includes:

a media connector mechanism for detachably connecting the memory medium in which authentication information identical to said registered authentication information is included;

recording means for recording distributed contents to a local storage means, said distributed contents being embedded with the digital information and being distributed from the system for monitoring the utilization condition with the authentication information;

authentication means for executing authentication by determining whether the authentication information recorded in the memory medium connected to the media connector mechanism coincides with the authentication information recorded in the local storage means; and

transmitting means for transmitting the contents utilizing history when the authentication is valid and the memory medium is connected to the media connector mechanism, wherein said transmitting means reads the contents from the local storage means and, in accordance with the digital information, stores the utilization condition of the contents as contents utilizing history in the memory medium, and transmits the stored contents utilizing history to the information gathering means at a predetermined timing.